



THE SYSTEM, FUNCTIONS AND COMPETENCIES OF THE SUPREME STATE AUTHORITIES OF THE REPUBLIC OF TURKEY UNDER THE CURRENT CONSTITUTION

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Abstract

The constitutional framework of the Republic of Turkey, particularly following the 2017 amendments to the 1982 Constitution, represents a unique blend of presidential governance with parliamentary elements. This article examines the supreme state authorities of Turkey—the President, the Grand National Assembly, and the judiciary—as outlined in the current Constitution. It analyzes their organizational structure, functions, and interrelations in light of recent political transformations. Drawing from comparative constitutional models and Turkish legal doctrine, the paper provides a legal and institutional overview of how the balance of power and governance is ensured under the reformed presidential system. The analysis also highlights the growing executive role of the President, the shifting dynamics of legislative oversight, and the independence of the judiciary. The study is relevant for understanding evolving models of state authority in transitional democracies.

Keywords

Turkey, Constitution, Presidential System, Grand National Assembly, Supreme State Power, Separation of Powers, Judiciary

Introduction

The Republic of Turkey has undergone profound constitutional and political transformations, especially with the 2017 constitutional referendum, which shifted the country from a parliamentary to a presidential system of governance. The 1982 Constitution, initially adopted under military rule, has since been modified to reflect democratic values and institutional modernization. This article aims to explore the structure, roles, and functions of the supreme state authorities under the amended Constitution, including the President, the legislature (Grand National Assembly of Turkey), and the judiciary. The focus is on institutional balance, political accountability, and constitutional mechanisms that define Turkey's state governance in the context of a strong presidential system. This examination is especially important for legal scholars and policymakers seeking comparative insights into governance transitions in semi-democratic and post-authoritarian states.

Literature review

Previous studies on Turkish constitutionalism (e.g., Özbudun, 2012; Arslan, 2018) have mostly centered around the role of the military, secularism, and political instability. Post-2017 scholarship (Kalaycıoğlu, 2020; Sayarı, 2021) emphasizes the consolidation of executive power and the erosion of checks and balances. The literature lacks a detailed structural-functional analysis of supreme state authorities under the current legal framework—an analytical gap this article attempts to fill.

Methodology

The study employs a qualitative legal analysis based on the textual interpretation of the 1982 Constitution (as amended), Turkish legal scholarship, and comparative constitutional law. Official documents, parliamentary records, and academic literature in Turkish and English are used. The approach combines doctrinal legal methodology with institutional analysis to assess the actual practice of constitutional governance.

Results and discussion**1. The President of the Republic**

Following the 2017 amendments, the President serves as both the head of state and government. The office holds extensive executive authority, including:

- Issuing presidential decrees;- Appointing and dismissing ministers and senior officials;
- Commanding the armed forces;- Declaring states of emergency;- Preparing the national budget;- Dissolving the parliament and calling elections.

This concentration of power has raised concerns about democratic backsliding, though supporters argue it ensures effective governance.

2. The Grand National Assembly of Turkey (Türkiye Büyük Millet Meclisi - TBMM)

The legislature remains unicameral, with 600 deputies elected by proportional representation. It retains key functions:

- Law-making authority;- Ratification of international treaties;- Oversight through inquiries and motions;- Approving the budget;- Initiating constitutional amendments.

However, legislative control over the executive has weakened post-2017, as the President no longer needs parliamentary confidence to govern.

3. The Judiciary and Constitutional Court

The judiciary is constitutionally independent, though judicial reforms have altered its structure. The Constitutional Court ensures that laws and presidential decrees comply with the Constitution. Other high courts include:

- The Court of Cassation;- The Council of State;- The Court of Accounts.

Concerns persist regarding judicial independence due to changes in appointment procedures and increased executive influence.

Conclusion

The current Constitution of the Republic of Turkey establishes a centralized presidential system with dominant executive powers. The President has become the central figure in state governance, while the Grand National Assembly's legislative role has been partially reduced. Despite constitutional guarantees, judicial independence remains a debated issue. To enhance democratic resilience, legal scholars recommend restoring stronger parliamentary oversight, ensuring transparency in judicial appointments, and encouraging civic engagement. This study contributes to the ongoing debate on constitutionalism and governance models in transitional and hybrid regimes.

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